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Attorney for Nate Williams

UNITED STATES DISTRICT COURT
Honorable Salvador Mendoza, Jr.

United States,

Plaintiff,

v.

Nathaniel Williams,

Defendant.

No. 18-cr-39-SMJ

Addendum to Sentencing
Memorandum Regarding Guideline
Calculations

1 Nathaniel Williams respectfully withdraws the parties' objections to
2 Probation's sentencing calculations.

3 In the Presentence Report, Probation calculated that Mr. Williams falls into
4 criminal history category III¹ with a total offense level of 19,² producing a guideline
5 range of 37–46 months. That differs slightly from the parties' plea agreement, which
6 calculated a total offense level of 17³ and forecast a guideline range of 30–37 months.

7 The reason for the discrepancy: the parties recognized that the marijuana
8 quantities relied on in the PSR are of questionable reliability.⁴ But despite reliability
9 issues, Mr. Williams acknowledges there were, indeed, additional quantities beyond
10 that seized in the offense of conviction⁵ and accepts Probation's estimate as valid.

11 The guidelines at sentencing should therefore be 37–46 months, as the PSR
12 details. However, for the reasons outlined extensively in the briefing, the defense
13 believes this sentencing should not be guideline-driven.
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18 ¹ PSR ¶ 63.

19 ² PSR ¶ 41.

20 ³ PSR ¶ 133 (summarizing plea-agreement calculations).

⁴ For example, the PSR counts 20 pounds of marijuana in a plastic container and 40 to 50 pounds of marijuana in trash bags in a CI-meeting with Mr. Williams in April 2017. PSR ¶ 16. But those amounts were neither seized nor weighed, and the 20-pound weight appears to be an estimate from a warrant affidavit.

⁵ Counsel has spoken with Mr. Williams and confirmed his knowledge and agreement to withdraw any objection to the quantity and guideline calculation.

1 Dated: March 14, 2021.

2 s/Colin G. Prince

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8 SERVICE CERTIFICATE

9 I certify that on March 14, 2021, I electronically filed the foregoing with the Clerk
10 of the Court using the CM/ECF System, which will notify and serve Assistant United
11 States Attorneys: David Herzog.

12 s/Colin G. Prince

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